IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 15808 of 2007(F)

PETITIONER:

I.V.JOSEPH, DRAWING TEACHER,
GOVERNMENT HIGH SCHOOL, PATTUVAM,
KANNUR DISTRICT.

BY ADV. SRI.M.VIJAYAKUMAR

RESPONDENTS:

DEPUTY DIRECTOR OF EDUCATION,
ERNAKULAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 15808 OF 2007

Dated this the 29th day of May, 2007

J U D G M E N T

Petitioner was appointed as a Drawing Teacher in Little Flower Upper Primary School in Kochi with effect from July 15, 1983. It appears that in the year 1989 he was deployed to Government High School, Pattuvam in Kannur district in the face of retrenchment.

2. It is contended by the petitioner that vacancies are now available in some of the schools in his home District against one of which, he can be accommodated. Though petitioner has sought the benefit of Ext.P1 order of the Government, learned counsel fairly concedes that such a contention was taken because of some misconception. He further submits that petitioner will be satisfied if an appropriate direction is issued to the respondent to consider Ext.P2 representation and to accommodate the petitioner either in her apparent school or in any one of the schools in his home District.

In the peculiar facts and circumstances, the writ petition is disposed of with a direction to the respondent to consider and

pass orders on Ext.P2 strictly on its merit and in accordance with the rules and relevant notifications, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. Petitioner shall be afforded sufficient opportunity to be heard before any decision is taken in the matter.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007